

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 10/809,301
Filing Date: March 25, 2004
First Named Inventor: David J. Peters
Group Art Unit: 2837
Examiner Name: Erik David Glass
Attorney Docket Number: 139282
CUSTOMER NO.: 27,623

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. **Previously submitted**

- i. Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on _____ (any unentered amendment(s) referred to above will be entered).
- ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed filed on _____
- iii. Other _____

b. **XXXX Enclosed**

- i. **XXXX** Amendment/Reply with transmittal
- ii. Affidavit(s)/Declaration(s)
- iii. Information Disclosure Statement (IDS) and PTO-1449
- iv. Other _____

2. **Miscellaneous**

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____

3. **Fees** The RCE fee Under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. **XXXXX** The Director is hereby authorized to charge any deficiency in fees, or credit any overpayments to Deposit Account No. **01-0467**.

- i. **XXXXX** RCE fee (\$810.00/\$405.00) required under 37 C.F.R. § 1.17(e)
- ii. Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. Other _____

b. **XXXXX** Check in the amount of **\$2350.00** enclosed (\$810 RCE fee & \$1540 petition fee)

c. Payment by credit card (Form PTO-2038 enclosed)

December 13, 2007

Date of Signature

Paul D. Greeley

Attorney for Applicant(s)

Registration No. 31,019

Ohlandt, Greeley, Ruggiero & Perle, L.L.P.

One Landmark Square, 10th Floor

Stamford, Connecticut 06901-2682

Telephone: (203) 327-4500

Telefax: (203) 327 6401

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 13, 2007.

Blair Ribeiro

NAME

SIGNATURE

December 13, 2007

DATE